IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3971 OF 2004

Prakash Dattu Mhatre ..Applicant

versus

Chandrakant M. Mhatre & Anr. ..Respondents

Mrs. S. S. Gavand for the Applicant.

Mr. V. B. Konde-Deshmukh A.P.P. for Respondent No.2.

CORAM : A.M. KHANWILKAR,J.

DATE : 14TH OCTOBER 2004.

P.C. :

. The present application takes exception to order passed by the Sessions Judge, Raigad Alibag dated 10.9.2004 below Exhibit 24 in Sessions Case No. 86 of 2004. By the said application the respondent No.1 prayed for temporary bail during the Ganpati festival from 15.9.2004 to 30.9.2004. That relief was granted by the lower court. While issuing notice in the present Application on 16.9.2004 I had stayed operation of the said order. This period for which the Respondent No.1 prayed for being released has already expired. In other words the original application filed by the respondent no.1 before the lower court Exhibit 24 has worked out. Accordingly this Application is disposed of

with the observation that the order passed by the lower court which is impugned in this Application, does not survive and cannot be given effect to. Order accordingly.

A.M. KHANWILKAR, J.